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EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2177

8
DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,198

Applicant(s)

GUIDO ET AL.

Examiner

Kuen S Lu

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7.3-19-2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendments

1. The Applicants' amendments filed on March 19, 2004 are noted. The Examiner accepts the amended drawing Figure 1. For the IDS listing filed on 3/19/2004, the Examiner has considered and initialized. The Applicants' REMARKS filed on the same date has been fully considered by the Examiner, please see discussion in the section ***Response to Arguments***. Items 2-6 shown below is the First non-Final Rejection Office Action of 12/19/2003.

Drawings

2. The drawings are objected to because they fail to show necessary textual labels of features or symbols for every element in Fig. 1, as described in the specification. For example, placing a label "geographic region", with element 100 of Fig. 1, would give the viewer necessary detail to fully understand this element at a glance. A **descriptive** textual label for **each numbered element** in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable."

"(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 13-17 and 25-27 are rejected under 35 U.S.C. 102(e) as anticipated by Israni et al. (U.S. Patent 6,438,561, hereafter "Israni").

As per claim 13, Israni teaches the following:

"road segment data that represents road segments located in a geographic region" by showing geographic database containing data that represents roads located in the geographic region at Fig. 5, elements 216 and 222s, col. 8, lines 63-66;

"advertising zone data associated with said road segment data, wherein said advertising zone data indicate which of a plurality of advertising zones into which the geographic region is divided road segments represented said road segment data are located in" by associating with each data entity that represents a road segment located in the geographic region data that indicate in which of location the road segment represented by the data entity is located at Fig. 4, elements 212, 214 and Fig. 5, elements 216 and 222s, and col. 8, lines 33-34, 53-54 and 63-66 by showing road segments 222(1), ..., 222(n) in the geographic portion 216 in the geographic region 212.

As per claim 14, Israni teaches "an index that references advertising zones that encompass other advertising zones" by defining an index that references each of the advertising zones in the first layer that overlap the second layer at col. 12, lines 25-32.

As per claim 15, Israni teaches "geographic database is installed in a standalone navigation system" by the installation of geographic database in a standalone navigation system at col. 3, lines 1-8.

As per claim 16, Israni teaches "geographic database is installed on a navigation services server from which end users' computing platforms obtain geographically-related services" by installing geographic database on a navigation services server from which end users' computing platforms obtain geographically-related services by allowing navigation system that uses a geographic database to also use the data in traffic messages broadcast by a traffic broadcast system at Abstract, lines 1-3.

As per claim 17, Israni teaches "advertising zone data includes an indication of which of a plurality of layers of advertising zones, a particular advertising zone is located in " by defining location layers with greater detail at the lower layers and less detail at the higher layers at col. 11, lines 21-22 and 27-30, wherein hierarchy of layers may include up to five separate layers of the data at col. 11, lines 60-61, and further wherein at least some overlapping between layers at col. 12, lines 25-29 by allowing some duplication of data into layers.

As per claim 25, Israni teaches determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region at col. 7, lines 39-42 by providing routing calculation and guidance to the drivers, Israni teaches determining in

which of a plurality of advertising zones into which the geographic region is divided the user is located at col. 7, lines 39-42 by providing vehicle positioning services; and Israni teaches providing the user with a warning message associated with said advertising zone at teaches col. 2, lines 51-54 by relating location reference numbers used by a traffic broadcast system to location reference data records in a geographic database used by the navigation system.

As per claim 26, Israni teaches "warning message relates to an adverse weather condition" by providing warning message relates to un-adverse weather condition at col. 26, lines 31-36 by using location reference data entities may be used in the geographic database to utilize numbering references from systems other than those that broadcast traffic messages at col. 26, lines 31-36.

As per claim 27, Israni teaches "warning message relates to traffic conditions in the zone" by providing warning message relates to traffic conditions in the zone at col. 8, lines 25-32.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-12, 18-24 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israni et al. (U.S. Patent 6,438,561) and further in view of Rittmaster et al. (U.S. Publication 2002/0023010, hereafter "Rittmaster").

As per claims 1 and 20, Israni teaches the following:

"mobile computing platforms that provide navigation-related services " by showing a navigation system for delivering traffic messages to users of mobile computing platforms at Abstract, lines 1-3;

defining location within a geographic region at Fig. 4, elements 214s, col. 8, lines 30-31; and "defining advertising areas within the geographic region" by using a geographic database containing data that represents roads located in the geographic region at Fig. 4, elements 216 and 222s, col. 8, lines 63-66, associating with each data entity that represents a road segment located in the geographic region data that indicate in which of location the road segment represented by the data entity is located at Fig. 4, elements 212, 214 and Fig. 5, elements 216 and 222s, and col. 8, lines 33-34, 53-54 and 63-66 by showing road segments 222(1), ..., 222(n) in the geographic portion 216 in the geographic region 212.

Israni does not specifically teach delivering advertising to users of mobile computing platform.

However, Rittmaster teaches communicating advertisement or promotional information to user through content provider processors at Page 15, Par. [0126], lines

1-6, and Par. [0127], lines 6-9.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Rittmaster's teaching into Israni's by using Israni's system for delivering advertisement to the users because by doing so would fulfill the need in the industry for a system by which a content provider would be able to deliver a service or product, based on geographic region in which the users requesting such service or product are located.

As per claim 2, Israni teaches "defining a hierarchy of said advertising zones, wherein said hierarchy of advertising zones includes at least a first layer and a second layer by defining location layers with greater detail at the lower layers and less detail at the higher layers at col. 11, lines 21-22 and 27-30, wherein hierarchy of layers may include up to five separate layers of the data at col. 11, lines 60-61, and "further wherein at least some of the advertising zones in said first layer overlap some of the advertising zones in said second layer" by showing at least some overlapping between layers at col. 12, lines 25-29 by allowing some duplication of data into layers.

As per claim 3, Israni teaches "defining an index that references each of the advertising zones in the first layer that overlap each of the advertising zones in the second layer" by defining an index that references each of the advertising zones in the first layer that overlap the second layer at col. 12, lines 25-32.

As per claims 4 and 21, Israni teaches associating with at least some of said advertising zones by relating location reference numbers used by a traffic broadcast system to location reference data records in a geographic database used by the

navigation system at col. 2, lines 51-54.

Israni does not teach associating **advertising messages specifically** with at least some of said advertising zones.

However, Rittmaster teaches displaying selective advertisement information to users at selective time and location at Page 14, Par. [0124], lines 11-17.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Rittmaster's teaching into Israni's by using Israni's traffic broadcasting and navigation system to broadcast particular set of advertisement message to specific location because by doing so the effect of advertisement or promotion would be maximized.

As per claims 5, Rittmaster further teaches storing advertisement message into database by allowing each advertiser to modify, add or delete advertisement information from advertiser's computer at Page 14, Par. [0124], lines 1-3.

As per claim 6, Israni teaches "advertising zones are formed dynamically" by dynamically forming broadcasting location by using location reference record data to identify certain other kinds of data records that represent segments of roads as being associated with certain location reference numbers at col. 2, lines 41-45.

As per claim 22, Israni teaches "after the step of delivering, providing the advertising message via a user interface of the mobile computing platform" by delivering, providing the advertising message via a user interface of the mobile computing platform at col. 6, lines 52-55.

As per claims 23 and 24, Israni teaches delivering, providing the advertising message

audibly via the mobile computing platform at col. 2, lines 6-9 providing routing guidance instructions audibly or visually.

As per claim 7, Israni teaches "defining a hierarchy of advertising areas located within a geographic region" by defining location within a geographic region at Fig. 4, elements 214s, col. 8, lines 30-31; "wherein said hierarchy of advertising areas include at least a first layer and a second layer" by showing location layers are defined with greater detail at the lower layers and less detail at the higher layers at col. 11, lines 21-22 and 27-30; "wherein said first layer and said second layer overlap " at col. 12, lines 25-29 by allowing some duplication of data into layers; and "in a geographic database that contains data that represent roads located in the geographic region" by showing a geographic database containing data that represents roads located in the geographic region at Fig. 5, elements 216 and 222s, col. 8, lines 63-66, "associating with each data entity that represents a road segment located in the geographic region data that indicate in which of said advertising areas the road segment represented by the data entity is located" by associating with each data entity that represents a road segment located in the geographic region data that indicate in which of location the road segment represented by the data entity is located at Fig. 4, elements 212, 214 and Fig. 5, elements 216 and 222s, and col. 8, lines 33-34, 53-54 and 63-66 by showing road segments 222(1), ..., 222(n) in the geographic portion 216 in the geographic region 212.

Israni does not specifically teach delivering advertising to users of a geographic region.

However, Rittmaster teaches communicating advertisement or promotional information to user through content provider processors at Page 15, Par. [0126], lines 1-6, and Par. [0127], lines 6-9.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Rittmaster's teaching into Israni's by using Israni's system for delivering advertisement to the users because by doing so would fulfill the need in the industry for a system by which a content provider would be able to deliver a service or product, based on geographic region in which the users requesting such service or product are located.

As per claim 8, Israni teaches defining an index that references each of the advertising zones in the first layer that overlap the second layer at col. 12, lines 25-32.

As per claim 9, Rittmaster further teaches displaying advertiser's advertisement at appropriate time (Page 17, Par. [0145], lines 10-11) and locking out un-accessible processors in restricted geographic regions (Page 18, Par. [0146], lines 9-13).

As per claims 10-12, Rittmaster further teaches presenting advertising, promotional or informational content to a user that is pertinent to the user's physical location and/or pertinent events at Page 15, Par. [0131], lines 3-6 and, based on geographic location of user's portable communication device at Page 15, Par. [0127], lines 6-9.

As per claims 18 and 28, Israni teaches "determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region" at col. 7, lines 39-42 by providing routing calculation and guidance to the users, "determining in which of a plurality of advertising zones into which the geographic region

is divided the user is located" at col. 7, lines 39-42 by providing vehicle positioning services; and "teaches providing the user with a traffic message associated with traffic location in a geographic area" at col. 2, lines 51-54 by relating location reference numbers used by a traffic broadcast system to location reference data records in a geographic database used by the navigation system.

Israni does not specifically teach delivering advertising to users of mobile computing platform.

However, Rittmaster teaches communicating advertisement or promotional information to user through content provider processors at Page 15, Par. [0126], lines 1-6, and Par. [0127], lines 6-9.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Rittmaster's teaching into Israni's by using Israni's system for delivering advertisement to the users because by doing so would fulfill the need in the industry for a system by which a content provider would be able to deliver a service or product, based on geographic region in which the users requesting such service or product are located.

As per claim 19, Israni teaches providing advertising messages over a wireless communications link to the mobile computing platform from a navigation services server at col. 17, lines 1-3 by providing location reference record in the geographic database to the vehicle via a wireless communication link.

6. The prior art made of record

A. U.S. Patent No. 6438561

B. U.S. Publication 2002/0023010

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C. U.S. Patent No. 5627549

D. U.S. Patent No. 6452498

E. U.S. Publication 2002/0002552

F. U.S. Publication 2001/0043148

G. U.S. Publication 2002/0065691

Response to Arguments

7. The Applicants' arguments filed on March 19, 2004 have been fully considered, but they are not persuasive, for the Examiner's response, please see discussion below.

a). At Page 8, Claim 13, Applicants argued "Israni does not anticipate Claim 13 because Israni does not disclose all of the elements of this claim. Although, Israni does disclose..., Israni does not disclose the advertising zone data indicating which advertising zones the road segments are located in. The Office Action stated that Israni teaches the advertising zone data ...in Figures 4 and 5, specifically elements 216 and 222 of Figure 5. .. However, the Applicants respectfully point out that Figure 4 of Israni merely illustrates a map 210 showing a geographic region 214 and Figure 5 illustrates a portion 216 of the map 210 illustrating road segments 222. See: Israni: column 8, lines 22-26, 53-55 and 65-67). Applicants also respectfully point out that Israni discloses geographic position data (latitude and longitude) of the endpoints (nodes) of the road segment associated with road segment data records, See: Israni: column 9, lines 8-15); however, Israni does not disclose the advertising zone data that indicates which

advertising zone the road segments are located in. The road segments data records of Israni are not associated with data indicating advertising zone; rather, the Israni road segment data records are associated with data indicating geographic position (latitude and longitude) not advertising zone. Because Israni fails to disclose all of the limitations of Applicants' Claim 13, Israni does not anticipate this claim. Applicants respectfully request that the rejection of Claim 13 be withdrawn."

As to the above argument a), the Examiner disagreed because of the following:

Israni teaches advertising zone as indicated by Fig. 5 and col. 8, lines 63-65, and further evidenced by Fig. 4 and col. 8, lines 25-32 by showing "by providing traffic condition service is **encompassed within the region 212**". As Applicants agreed at Page 8, Israni teaches geographic road segment data (Figs. 4-5) and geographic position data, and illustrates road segments within the geographic region (col. 8, lines 22-26, 53-55 and 65-67). It is thus the region itself is a zone as indicated by the above statement where the service is provided to and encompassed within the region. Further more, geographic region of Israni can be traced back to Figs. 2-3 where location number in Fig. 3 and the grids shown in element 10 of Fig. 2 both suggest region is the zone specifically for wherein the specific service is provided. The dots shown in Fig. 4 are the broadcast equipment for broadcasting the message throughout the region (col. 5, lines 1-5). This also suggests the service is provided on the basis of geographic region.

b) At Page 9, Claim 25, Applicants argued "**Applicants submit that Israni does not anticipate Claim 25 because Israni does not disclose all of the elements of this claim. Specifically, Israni does not disclose determining in which of a plurality of zones into which the geographic region is divided the mobile computing platform is located....**

the Applicants respectfully point out that vehicle positioning services identify a road segment on which the vehicle is traveling based in part on information from a positioning system and the geographic database. The vehicle positioning services identified by Israni do not determine in which of the zones the mobile computing platform is located. Furthermore, Applicants respectfully point out that location data records in the geographic database that identify road segments associated with positions represented by traffic location reference codes in traffic broadcast messages do not teach determining in which of a plurality of zones the mobile computing platform is located. Rather, the location data records allow the navigation system to determine which road segments are affected by the traffic incident of the traffic broadcast message. (See: Israni: column 23, lines 51-53).

As to the above argument b), the Examiner disagreed because of the following:

Israni teaches advertising zone as indicated by Fig. 5 and col. 8, lines 63-65, and further evidenced by Fig. 4 and col. 8, lines 25-32 by showing "by providing traffic condition service is **encompassed within the region 212**". As Applicants agreed at Page 8, Israni teaches geographic road segment data (Figs. 4-5) and geographic position data, and illustrates road segments within the geographic region (col. 8, lines 22-26, 53-55 and 65-67). It is thus the region itself is a zone as indicated by the above statement where the service is provided to and encompassed within the region. Further more, geographic region of Israni can be traced back to Figs. 2-3 where location number in Fig. 3 and the grids shown in element 10 of Fig. 2 both suggest region is the zone specifically for wherein the specific service is provided. The dots shown in Fig. 4 are the broadcast equipment for broadcasting the message throughout the region (col. 5, lines

1-5). This also suggests the service is provided on the basis of geographic region. Israni does teach "which road segments are affected by the traffic incident of the traffic broadcast message" as agreed by the Applicants in Page 9. Israni further teaches broadcasting to encompass within a region and the region is a geographical grid as suggested by Figs 2-5. Israni teaches broadcasting on the basis of region and thus teaches positioning the vehicles by the geographic region.

c) At Page 10, Claim 1, Applicants further argued "Applicants submit ... combination does not disclose all of the elements of this claim, Specifically, the combination fails to disclose associating with each data entity that represents a road segment data that indicate in which of the advertising zones the road segments are located in. Similarly, as discussed above in conjunction with Claim 13, Israni fails to disclose associating with each data entity that represents a road segment data that indicate in which of the advertising zones the road segments are located in. Additionally, Rittmaster fails to disclose associating with each data entity that represents a road segment data that indicate in which of the advertising zones the road segments are located in. In fact, Rittmaster completely fails to mention data that represents a road segment.

As to the above argument c), the Examiner disagreed because of the following: Israni teaches broadcasting "service is encompassed within the region" as the Examiner responded to arguments a) and b). Furthermore, the Examiner has associated a geographical region to a geographical zone based on the links among Figs. 2-5, as was described earlier in responding to arguments a) and b). Also note that Rittmaster was referenced for its teaching on providing selected content services at selected time to specific device location for displaying. The combination of references would have

fulfilled and motivated by the need for the industry to provide and deliver the content service, based on geographical region, including the road segment within the region, to users equipped with mobile computing device when they request and where they are located.

d) At Pages 10-11, Claim 7, Applicants further argued "The method associates with each data entity that represents a road segment data that indicates in which of the advertising areas the road segment is located ... Applicants ...the combination does not disclose all of the elements of this claim. Specifically, the combination fails to disclose associating with each data entity that represents a road segment data that indicate in which of the advertising areas the road segment is located. Similarly, as discussed above ... Israni fails to disclose associating with each data entity that represents a road segment data that indicate in which advertising areas the road segment is located.... Rittmaster fails to disclose associating with each data entity that represents a road segment data that indicate in which of the advertising areas the road segments are located in. In fact, Rittmaster completely fails to mention a data entity that represents a road segment.

As to the above argument d), the Examiner disagreed because of the following: Israni teaches broadcasting "service is **encompassed within the region**" as the Examiner responded to arguments a) and b). Furthermore, the Examiner equalized a geographical region to a geographical zone based on the links among Figs. 2-5, as was described earlier in responding to arguments a) and b). Also note that Rittmaster was referenced for its teaching on providing selected content services at selected time to specific device location for displaying. The combination of references would have

fulfilled and motivated by the need for the industry to provide and deliver the content service, based on geographical region, including the road segment within the region, to users equipped with mobile computing device when they request and where they are located.

e) At Pages 11, Claim 18, Applicants continued to argue **"Applicants submit that ... combination does not disclose all of the elements ... fails to disclose determining in which of a plurality of advertising zones into which the geographic region is divided the mobile computing platform is located. Similarly, as discussed above in ... Claim 25, Israni fails to disclose determining in which of a plurality of zones into which the geographic region is divided the mobile computing platform is located. Additionally, Rittmaster fails to disclose determining which of a plurality of advertising zones in which the geographic region is divided the mobile computing platform is located. Rather, Rittmaster merely discloses providing advertising messages relating to stores in a shopping area to a mobile user located in the shopping area."**

As to the above argument e), the Examiner disagreed because of the following: Israni teaches broadcasting "service is **encompassed within the region**" as the Examiner responded to arguments a) and b). Furthermore, the Examiner associated a geographical region to a geographical zone based on the links among Figs. 2-5, as was described earlier in responding to arguments a) and b). Also note that Rittmaster was referenced for teaching on providing selected content services at selected time to specific device location for displaying. The combination of references would have fulfilled and motivated by the need for the industry to provide and deliver the content service, based on geographical region, including the road segment within the region, to

users equipped with mobile computing device when they request and where they are located.

f) At Pages 12, Claim 20, Applicants argued "Applicants submit... the combination fails to disclose determining in which of said advertising areas the mobile computing platform is located. ... as discussed above in ... Claim 25, Israni fails to disclose determining in which of the advertising areas the mobile computing platform is located. ... Rittmaster fails to disclose determining in which of the advertising areas the mobile computing platform is located.

As to the above argument f), the Examiner disagreed because of the following: Israni teaches broadcasting "service is **encompassed within the region**" as the Examiner responded to arguments a) and b). Furthermore, the Examiner associated a geographical region to a geographical zone based on the links among Figs. 2-5, as was described earlier in responding to arguments a) and b). Also note that Rittmaster was referenced for teaching on providing selected content services at selected time to specific device location for displaying. The combination of references would have fulfilled and motivated by the need for the industry to provide and deliver the content service, based on geographical region, including the road segment within the region, to users equipped with mobile computing device when they request and where they are located.

g) At Pages 12-13, Claim 28, Applicants continued to argue "...the combination fails to disclose dynamically forming an advertising zone associated with the position of the mobile computing platform. Israni completely fails to disclose dynamically forming an advertising zone associated with the position of the mobile computing platform; rather,

Israni merely performs vehicle positioning (map matching) to identify a road segment on which the vehicle is traveling. (See: Israni, column 7, lines 39-42). Israni fails to mention dynamically forming an advertising zone. Additionally, Rittmaster fails to disclose dynamically forming an advertising zone associated with the position of the mobile computing platform. Rather, Rittmaster merely discloses providing advertising messages relating to stores in a shopping area to a mobile user located in the shopping area. (See: Rittmaster, page 15, paragraph 0127).

As to the above argument g), the Examiner disagreed because of the following: Israni teaches broadcasting "service is **encompassed within the region**" as the Examiner responded to arguments a) and b). Furthermore, the Examiner associated a geographical region to a geographical zone based on the links among Figs. 2-5, as was described earlier in responding to arguments a) and b). Also note that Rittmaster was referenced for teaching on providing selected content services at selected time to specific device location for displaying. The combination of references would have fulfilled and motivated by the need for the industry to provide and deliver the content service, based on geographical region, including the road segment within the region, to users equipped with mobile computing device when they request and move from region to region, and where they are located.

As to dependent claims 2-6, 8-12, 14-17, 19, 21-24 and 26-27, the Examiner applies the above stated arguments for the respective claim upon which they depend.

8. In light of the forgoing arguments, the U.S.C 102 rejection for Claims 1-28 are hereby sustained.

Conclusions

9. THIS ACTION IS MADE FINAL.

The Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (703) 305-9601 for faster service.

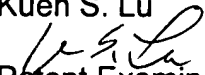
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 703-305-4894. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

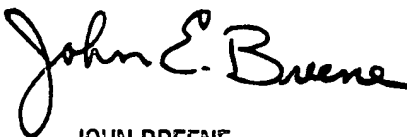
Art Unit: 2177

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kuen S. Lu


Patent Examiner

May 14, 2004



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100